APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,966	04/11/2001	Louis Amadio	03797.00026	9719

28319 7590 04/18/2005		EXAMINER
BANNER & WITCOFF LTD., ATTORNEYS FOR MICROSOFT 1001 G STREET , N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597		BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/832,966	AMADIO ET AL.
	Examiner	Art Unit
	Dennis G. Bonshock	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 December 2004_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-5, 10-12, 20, 21, and 23-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-5, 10-12, 20, 21 and 23-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Final Rejection

Response to Amendment

1.   It is hereby acknowledged that the following papers have been received

and placed on record in the file: Amendment as received on **12-23-04**.

2.   Claims 1-28 have been examined.

Status of Claims:

3.   Claims 1-5, 10-12, 20, 21, and 23-28 are rejected under 35 U.S.C. 102(a)

as being anticipated by Poole, "*Mac OS 8.5 Bible*".

4.   Claims 6-9, 13-19, and 22, have been cancelled.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6.   Claims 1-5, 10-12, 20, 21, and 23-28 are rejected under 35 U.S.C. 102(a)

as being anticipated by Poole, "*Mac OS 8.5 Bible*".

7.   With regard to claim 1, which teaches a method of providing a graphical

user interface to an operating system comprising the steps of: providing an

operating system user interface manipulable by a user, Poole teaches, on page

159, paragraph 1, that clicking the column headers sorts by that heading. With

regard to claim 1, further teaching a frame controlled by the operating system

including a graphical representation of an item and a slot, Poole teaches, on

page 159, paragraph 1 and in figure 7-9, displaying, on a video screen a

graphical representation of each item provided in a slot. With regard to claim 1,

further teaching placing a textual property of the item in the slot responsive to a

user selecting the textual property, Poole teaches, on page 131, the user placing

a specific label (textual label) property in a slot.

8.   With respect to claim 2, teaching displaying the view in a folder view of a

graphical environment, Poole teaches, on page 159, paragraph 1 and in figure 7-

9, that the items displayed are part of the Desktop Pictures folder.

9.   With respect to claim 3, teaching the step of displaying the view in an

array on the video screen, Poole teaches, on page 159, paragraph 1 and in

figure 7-9, the items displayed in an array.

10.   With respect to claim 4, teaching the operating system sorting the frames

by the user-selected property, Poole teaches, on page 109, paragraph 2 and

figure 6-3, arranging the icons by a user selectable property.

11.   With respect to claim 5, teaching the frame providing a plurality of sortable

properties of the item, Poole teaches, on page 109, paragraph 2 and figure 6-3,

arranging the icons by a user selectable property.

12.   With respect to claim 10, which teaches a computer readable medium

having computer-executable instructions for performing steps comprising: a

database component for storing properties of a first item type and properties

specific to a second item type with the properties specific to the second item type

different from the set of properties specific to the first item type, Poole teaches,

on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, a

folder of disk volume for storing a icon name, modification date, etc, where in the list view folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information, furthermore, Poole teaches, on page 131, figure 6-17, folder items further being distinguished by including a property that tells if the item is expandable. With respect to claim 10, further teaching a first control component for providing a graphic user interface on a video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a controllable folder for retrieving stored information and displaying it on the screen. With respect to claim 10, further teaching a second control component for displaying the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen. With regard to claim 10, further teaching a user interface component responsive to user requests for requesting the display of the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a user interface for requesting a specific manipulable display on the screen. With regard to claim 10, further teaching the first control component configured to retrieve the stored properties from the database component, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder. With regard to claim 10, further teaching sending the properties to the second control component which displays the properties dynamically in a frame on the video screen, Poole teaches, on page 159,

paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen.

13.   With respect to claim 11, which teaches having computer-executable instructions wherein the user interface component requests the sort arrangement of the properties of the item on the video screen, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property on the display screen.

14.   With respect to claim 12, which teaches receiving a sort request from the user, sorting the properties by the sort request, and displaying the sorted properties on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the user selecting a column heading, the items being sorted by this heading, and it being displayed on the display screen.

15.   With regard to claim 20, which teaches a method of displaying a listing of files of one of the plurality of file types, Poole teaches, on pages 84 and 159, the displaying of a listing of files of a plurality of file types. With regard to claim 20, further teaching the set of relevant properties of the file type differs from the set of relevant properties of another of the plurality of file types, Poole further teaches, on page 84, the file size not being listed for folder files as it was listed for other files, furthermore, Poole teaches, on page 131, figure 6-17, folder items further being distinguished by including a property that tells if the item is expandable. With regard to claim 20, further teaching receiving a user selection of a textual property for the file type of the file, Poole further teaches, on pages

84, 158, and 159, the user selection of a property for the file, and, on page 131, the user placing a specific label (textual label) property in a slot (see figure 6-18). With regard to claim 20, further teaching displaying the selected textual property in the vicinity of a graphical representation of the file, Poole further teaches, on pages 84, 158, and 159, the user selection of a property for the file resulting in a preview of the document being displayed, and on page 131, the user specified label (textual label) property being placed in the slot adjacent to the item.

16.   With regard to claim 21, which teaches receiving including receiving the user selection of the property from a list of the relevant properties of the file type, Poole further teaches, on page 161, the users ability to both "add to favorites", or "remove from favorites" and on pages 83 and 84, selection of one of the item properties (date, size, kind).

17.   With regard to claim 23, which teaches ordering the set of files based on the displayed property, Poole further teaches, on page 83 and 84, ordering the files by selecting a specific column heading, and organizing the columns by dragging the column headings.

18.   With regard to claim 24, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

19.   With regard to claim 25, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further

teaches, on page 83, the system implemented on Mac OS 8.5, a computer

readable medium having computer readable instructions.

20.   With regard to claim 26, which teaches the set or relevant properties for

one or he file types is different from eh set of relevant properties of the other file

types, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on

page 84 and 109, in the list view, folders do not display a size because it is not a

relevant property, while other items that do have a relevant size display the size

information.

21.   With regard to claim 27, which teaches a method for displaying items in a

computer operating system, the method comprising the steps of: associating a

first item type with a first property, and associating a second item type with a

second property, wherein the first property is different form the second property

and not associated with the second item type, Poole teaches, on page 159,

paragraph 1 and in figure 7-9 and further on page 84 and 109, a folder of disk

volume for storing a icon name, modification date, etc, where in the list view

folders do not display a size because it is not a relevant property, while other

items (one type) that do have a relevant size display the size information,

furthermore, Poole teaches, on page 131, figure 6-17, folder items (other type)

further being distinguished by including a property that tells if the item is

expandable. With regard to claim 27, further teaching displaying a listing of a

plurality of item type, wherein the plurality of items comprises a first item of the

first item type and a second item of the second item type, Poole teaches, on

page 131 and in figure 6-17, the display of a plurality of items, with folder items

and non-folder items. With regard to claim 27, further teaching displaying for

each item in the listing a graphical representation, a name, and a slot, Poole

teaches, on pages 131 and 159, and in figures 6-17 and 7-9, the display of

graphical representations for items (both next to the name and in the preview

window), a name for each item, and at least one slot adjacent to an item holding

property information. With regard to claim 27, further teaching displaying in the

slot of the first item a textual value for the first property of the first item, and

displaying in the slot of the second item a textual value for the second property of

the second item, Poole teaches, on page 131, the user placing a specific label

(textual label) property in a slot, so that each item independently may have a

textual label displayed in a slot adjacent to it.

22.   With regard to claim 28, which teaches the first item type comprising a first

file format and the second item type comprising a second file format, Poole

teaches, on page 131, the one type being a folder format capable of sorting a

plurality of other items, and the second type being an item format with a specific

size.

Response to Arguments

23.   The arguments filed on 12-23-04 have been fully considered, but they are

not persuasive. Reasons are set forth below.

24.   The applicants' argue that Poole does not teach a textual property.

25.   In response, the examiner respectfully submits that, Poole teaches, on

page 131, the user placing a specific label (textual label) property in a slot (see

figure 6-18), and the actual display of the specified textual label (see figure 6-17).

26.   The applicants' argue that Poole does not teach two files types each with different properties.

27.   In response, the examiner respectfully submits that, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, a folder of disk volume for storing a icon name, modification date, etc, where in the list view folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information. This shows a difference in applicable properties to the specific type of item (folder). Furthermore, Poole teaches, on page 131, figure 6-17, folder items further being distinguished by including a property that tells if the item is expandable, and specifically whether it is currently expanded or contracted (the rightward/downward pointing arrow).

28.   The applicants' argue that Poole does not teach two different sets of properties, as the claim implies.

29.   In response, the examiner respectfully submits that, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, folders not including the size property (as shown above), this shows a difference in applicable properties to the specific type of item (folder). Furthermore, Poole teaches, on page 131, figure 6-17, folder items further being distinguished by including a property that tells if the item is expandable, and specifically whether it is currently expanded or contracted. These two properties that are specific to an item type show that a plurality of type specific properties is a capable feature of the Poole reference.

Conclusion

30.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

31.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
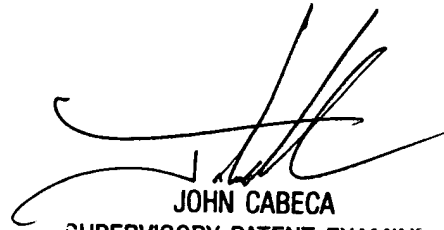
32.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

33.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

34.   Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

9-15-04
dgb

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